

REMARKS

Claims 2-23 and 25-41 are currently pending. Claim 1 has been cancelled and claims 2-8, 30, and 40 have been amended. Applicants acknowledge and appreciate the Examiner's indication that claims 13-23, 25-29, and 32-39 are allowed and claims 7-12, 30-31, and 40 contain allowable subject matter and would be allowed if rewritten in independent form.

The Examiner rejected claims 2 and 3 under 35 U.S.C. §112, second paragraph. Specifically, the Examiner states that the claims are confusing because they recite stationary components (i.e., the filter and the strainer) that are part of the driven element.

Applicants have amended claims 2 and 3 to recite that the air filter and the strainer are coupled to the driven element. Applicants respectfully submit that the amended claims distinctly claim the subject matter for which protection is sought, and as such traverse the Examiner's rejections. In addition, Applicants note that there is no language in the claims that would lead one to conclude that the entire driven element must move. In fact, claims 2 and 3 both specifically recite a driven element that includes a first housing. Generally, the housing remains stationary when the driven element is driven. In fact, many driven elements (e.g., pumps, compressors, etc.) cannot function properly without a stationary component. In light of the foregoing, claims 2 and 3 are allowable.

The Examiner rejected claims 1 and 4-6 under 35 U.S.C. §103(a) as being unpatentable over Ferlatte (U.S. Patent No. 5,311,090) in view of Kunze (U.S. Patent No. 5,012,861). In addition, the Examiner rejected claims 1 and 4-6 under 35 U.S.C. §103(a) as being unpatentable over Base (U.S. Patent No. 6,485,257) in view of Kunze. The Examiner also rejected claims 1 and 4-5 under 35 U.S.C. §103(a) as being unpatentable over Jensen (U.S. Patent No. 5,714,816) in view of Foster (U.S. Patent No. 3,747,573).

Claim 1 has been canceled. As such, the rejections of claim 1 are moot. Claim 6 has been amended to include the limitations of allowable claim 7, thus traversing the Examiner's rejections. As such, claim 6 is allowable. Claims 4 and 5 have been amended to depend from allowable claim 6. Thus, claims 4 and 5 are also allowable. In addition, claims 10-12 depend from claim 6 and are allowable.

Claim 8 has been amended to include the limitations of the base claim (claim 6). As such claim 8 is allowable. Claim 7 has been amended to depend from allowable claim 8. As such, claim 7 is also allowable. In addition, claims 9 and 31 depend from allowable claim 8 and are also allowable.

Claims 30 and 40 have been amended to include the limitations of the base claim (claim 6). As such, claims 30 and 40 are allowable.

Conclusion

In light of the foregoing, Applicants respectfully request entry of the amendments and allowance of claims 2-23 and 25-41.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas J. Otterlee', with a stylized flourish at the end.

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